

HISTORY OF THE DYNAMITE CASE

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of the iron workers' union, by virtue of which office he was a leader in national labor circles, with a seat in the councils of the American Federation of Labor.

McManigal, the self-confessed dynamiter, for weeks occupied the witness stand, relating, calmly, decisively and without any apparent concern for himself a narrative of violence seldom equalled.

And what were the antecedents of this trial?

Back in the summer of 1905 dynamite was found at New Haven, Conn., on a job on which non-union workmen were employed. Later the iron workers' union called a strike on several contractors, and the strike became general. That was the beginning, according to the government, and it spread until McNamara organized a "dynamiting crew." Altogether 100 explosions occurred, those at Los Angeles being among the number.

Two striking coincidences attended the trial.

One was that on October 1, 1911, exactly one year after the Los Angeles "Times" building was blown up with a loss of twenty-one lives, the federal authorities at Indianapolis first considered the possibility of prosecutions for illegal interstate shipment of dynamite and nitroglycerin on passenger trains. Orville E. McNamara's confession obtained after he and the McNamara brothers had been arrested, implicated others as having actually carried explosives in suit-cases on trains, or as having entered into a conspiracy. This indicated, in District Attorney Charles W. Miller's opinion, the necessity for a grand jury investigation. Indianapolis was the headquarters of John J. McNamara, secretary of the iron workers' union, and the point at which, it was charged, the conspiracy was entered into and from which the explosives were carried.

Another coincidence was that the trial began on October 1, 1912, the second anniversary of the "Times" explosion. The federal grand jury, after several months' investigation returned indictments against 54 union labor officials. Before the defense began its case this number had been reduced to 41 on account of various eliminations.

As a motive for the crimes charged the government referred to the strike against employers of non-union labor, consisting of bridge, viaduct and building contractors who maintained an "open shop" policy, employing workmen regardless of whether they belonged to the union or not. This strike never has been called off. It was alleged that a warfare waged by the union spread all over the country until violence was resorted to, or as was stated, "picketing spread to slugging, slugging to dynamite, and dynamite to nitroglycerin."

McNamara, at the headquarters of the union in Indianapolis, although later named by witnesses as the active perpetrator of the explosions, was then unsuspected by the contractors. But the advent of McNamigal and James B. McNamara, brother of the union secretary, as regularly hired dynamiters, working under John J.'s direction, and, as McNamigal charges, with Hockin's leadership, the explosions became so bold as to arouse suspicion that they were the work of an organized band.

Detectives already had been working on the case when the killing of twenty-one people in Los Angeles by a bomb set off at 1 o'clock in the morning, showed that the desperation of the dynamiters had reached the murder stage.

Much of the evidence that was precluded at Los Angeles by the pleas of guilt by the McNamara brothers came out here. Federal Judge Albert B. Anderson ruled that while the specific charges were illegal transportation all other evidence relative to explosions might be offered as showing a motive. The testimony was that the destruction of the "Times" building was not strictly a part of the campaign against non-union iron and steel work, but was done in an effort to unionize various trades in Los Angeles. James B. McNamara, who set the bomb, was a printer. Witnesses stated that McNamara afterwards expressed little regret that twenty-one people were killed, and, in fact, expressed disappointment that he had not killed Gen. Harrison

Gray Otis, proprietor of the "Times," that the dynamiter was sent to the coast at the solicitation of Tveitmo, a recognized union labor leader, and that Tveitmo furnished David Caplan and M. A. Schmidt, who were also indicted for murder, but who never were captured.

All the 100 explosions came in for scrutiny by the jury here, and the field of operations extended from Boston to Los Angeles.

"Who caused those explosions?" was the question before the jury.

Broadly the charges were that J. J. McNamara began them and thought them an effective means of fighting "open shop" contractors. "Make the damage as heavy as possible," McNamigal said always were his instructions. Hundreds of thousands of dollars' worth of property was said to have been destroyed. Finding the maintenance of a hired "dynamiting crew" cost money, McNamara is alleged to have appealed to the union for funds, and in this way, the government charged, others became implicated. For instance, the government set out that the union executive board decided at last to allow McNamara \$1000 a month, for which he would be required to give no accounting. Letters also were written which, the government asserted, showed certain business agents, recognizing the "dynamiting crew" as a regular institution, sent word as to what jobs should be blown up. All the indicted officials were declared by their letters to be "linked together in guilt."

That was the case the government at the opening of the trial, asserted it had to place before the jury. It was stated that the trial, in the number of defendants, in the fact that the defendants were allied with labor unions, in the nation-wide extent of the conspiracy, and in its ramifications, was unprecedented. McNamigal's confession, detailing twenty-one explosions which he said he personally caused, was scrutinized to determine in what minute particulars corroborative witnesses were needed.

The witnesses came from almost every city. Dozens of them were brought from the Pacific coast to remain on the stand only a few minutes. A curly-headed, dimple-cheeked girl, garbed in a pink dress, was called from North Randall, O., to point out in the court room Peter J. Smith and George (Nipper) Anderson, of Cleveland, as men she saw going up a lonely road with a box shortly before an explosion at North Randall. A mechanic came from Hawaii to tell of overhearing certain of the defendants discuss proposed explosions in Detroit. An engineer came from Panama to recount his experiences with Hockin. Men who drove livery wagons, check boys in railway stations, who cared for suit-cases, filled with infernal machines, hotel clerks who "booked" the McNamaras and McNamigal for rooms, detectives, stenographers, contractors who suffered from explosions, and telephone operators, all related piecemeal their knowledge of the defendants' conversations or movements, which the government undertook to weave into a completed story to show at once the individual guilt of each, and the collective guilt of all the defendants.

One by one the defendants heard the charges repeated against them.

Tveitmo heard his name mentioned often. He was accused as having furnished Caplan and Schmidt to help blow up the "Times" building. He was named as having sent word to McNamara the month after the explosion that "things were all right on the coast," and as having requested the dynamiters again be sent to Los Angeles, later acknowledging another explosion there on Dec. 25, 1910, as "a Christmas present." McNamigal said he called at Tveitmo's office in San Francisco but met only Eugene A. Clancy there. Anton Johansson was mentioned by witnesses as having helped Tveitmo. William J. Burns, testified he told Mayor Alexander, of Los Angeles, the day after the explosion, that "Tveitmo and Johansson were behind it." Testimony about Johansson was permitted on the ground that though not a defendant, "he had been shown to be a conspirator."

J. E. Munsey, Salt Lake City, was charged with harboring the Los Angeles dynamiter for two weeks. A tailor in Salt Lake City said he altered clothes for the dynamiter, and other witnesses said they saw Munsey, also known as "Jack Bright," and McNamara together.

Clancy was again mentioned as being in Boston when the Pacific coast explosion occurred, and as hurrying west after telegraphing. "Clean house," meaning, as the government charged, to destroy evidence. H. W. Pohlman, of Seattle, was mentioned as bringing McNamara and Clancy together in that city.

Of all the defendants Herbert S. Hockin was probably the most conspicuous in the testimony.

The story of Hockin, as told was: As an organizer for the union he induced McNamigal to do dynamiting. Then he began to "hold out" on the pay allowed McNamigal for jobs. This resulted in quarrels, and the McNamaras decided to have little to do with him. Knowing this, Hockin went to a contractor in Pittsburg and betrayed the dynamiters. That was before the loss of life at Los Angeles. Later Hockin worked for Burns, while still remaining as an official of the union, and when the federal grand jury began work in Indianapolis, Hockin took information to the government.

The testimony at the trial resulted in the increasing of Hockin's bonds, so that he was confined to jail. Hockin asserted to those for whom he was accused as acting as a spy, that he took no part in dynamiting, but witnesses from Muncie, Ind., and at Cincinnati pointed him out as the man to whom they actually sold explosives.

Hockin again was the man most mentioned by McNamigal. "After he had induced me to blow up a job in Detroit in 1907," said McNamigal, "Hockin told me there was no use of my attempting to quit now, as they had the goods on me. I asked him who was going to pay me for my work. He said the executive board had set aside a limited fee of \$125 for each job and expenses. I told him it was too little for a thing like that. He replied my family would be taken care of if anything happened. So I went to Bloomville, Ohio, and got an order from Nat France to Bill Carey, who was the keeper of a magazine where dynamite was stored for use in a stone quarry, and they let me have some without knowing what I was going to do with it. I used it to blow up a derrick at Clinton, Iowa, Feb. 16, 1908.

"Hockin two weeks later visited me again in Chicago and said he did not have enough money to pay expenses for the Clinton job, but for me to go to the hall of the local union. When I went there the secretary, R. H. Houlihan, gave me an envelope containing \$165. Houlihan said: 'There is money in that.'"

In July of 1908, according to McNamigal, Hockin met him in Buffalo, and after pointing out a viaduct, said he wanted to get to Canada before the explosion took place. About 11 o'clock that night McNamigal set off the dynamite with a 60-foot fuse. He said Hockin met him later in Chicago and paid him.

Then Hockin asked McNamigal to go to St. Louis, but he refused, and went instead to Holyoke, Mass., where an explosion failed because the dynamite was buried in the ground too long, McNamigal said. "Up to March, 1909, Hockin was the only man who knew me as a dynamiter," said McNamigal. "Just before that date he arranged for me to go to Boston and see M. J. Young regarding the job on the Boston Opera House, which was blown up."

Later, on instruction from Hockin, McNamigal said he went to Hoboken to confer with Frank C. Webb, of New York, about blowing up a viaduct. A dispute arose and McNamigal told Webb that Hockin was paying for the work and he purposed to follow instructions.

"Hockin paid me \$250 for the Boston and Hoboken jobs," said McNamigal. "Then it was arranged I should meet J. B. McNamara for the first time. Hockin had telegraphed me to meet him in Indianapolis. We went from there to Muncie, Ind., where we met J. B. Hockin made all arrangements here about getting rigs, boxes and cans for the nitroglycerin he was negotiating for. He had me buy a piano box and rent a house, fill barrels with sawdust and put them in the house for storing the explosive. Hockin paid me for the rent of the house and arranged with a well-shooter to get the nitroglycerin, which we transferred to the house in Muncie."

"In February, 1910, in Chicago, I received a telegram from Hockin to come to Indianapolis. I did not go, but J. B. McNamara came to Chicago and told me Hockin had sent him to explain a new invention. J.

B. explained about the alarm clock arrangement by which we in the future were to regulate the time for exploding bombs. A few days later Hockin wired me to come to Indianapolis, where he and I and J. J. McNamara fully went over the clock scheme. With it I went to Mt. Vernon, Ill., and pulled off a job on a power house, for which Hockin paid me \$125."

It was in the summer of 1910 when explosions were frequent that McNamigal said his relations with Hockin were broken off because he discovered Hockin had been keeping part of his pay. About that same time witnesses said Hockin began to give information about the dynamiters.

Edward Smythe, of Peoria, Ill., also was accused by McNamigal as having personally pointed out jobs to be blown up. A hotel keeper related that after the explosion Smythe examined the hotel register, and later the page on which McNamigal had registered was found to be torn out. McNamigal said Smythe arranged to go to a theatre the night of the explosion and prove an alibi by keeping the seat checks.

President Ryan, of the iron workers' union, and all the other defendants were charged with being principals to the conspiracy through the writing of letters. Ryan's defense was that the McNamaras and those who confessed alone knew that a "dynamiting campaign" was being carried on, and that the executive board members did not know what Secretary McNamara did with the \$1000 monthly appropriated for his use without his being required to give an accounting.

Beyond doubt the testimony which attracted keenest interest was that which related to the blowing up of the Los Angeles "Times" building. That a man could deliberately buy 500 pounds of high explosive with the purpose only of destroying property gave unusual zest to that part of the story.

Unrestricted by the court, the government went into every available detail of James B. McNamara's activity on the Pacific coast which was considered essential to the charges here. The dynamiter's arrival in San Francisco, after he left his brother's office in Indianapolis in July, 1910, his accompanying McNamigal as far as Chicago, his sending back to McNamigal a post-card giving him greetings from the far west, and saying, "The best of friends must part," the dynamiter's wanderings about San Francisco, his meeting with Clancy in Seattle, his "taking lessons" from an electrical expert in Seattle in how to set off a bomb by a spark instead of by a fuse, his causing an explosion in Seattle, and his return to San Francisco preparatory to going to Los Angeles, were all traced.

A woman in San Francisco who rented a room to McNamara, a woman who rented a room to Schmidt, and another woman friend of Caplan, telephone operators who connected McNamara with the powder company which sold him the nitroglycerine, the men from whom he, Schmidt and Caplan rented the launch used to carry the explosive; a clerk who sold the aluminum letters by which the name of the launch was disguised; a man who rented the house in which the 500 pounds of nitroglycerine was stored in San Francisco; a clerk in a hotel in Los Angeles to whom McNamara bid "good night" at about 7 o'clock at night, after the bomb had been set in "Ink alley" in the "Times" building, and policemen who ran to the wreck after the building was destroyed and McNamara had fled, all testified.

In connection with the explosion the story of William J. Burns was given. His son, Raymond J. Burns, also related how detectives had McNamara and McNamigal pointed out to them on Nov. 6, 1910, five months and six days before the arrests were made. In the meantime these dynamiters were followed on a hunting trip to northern Wisconsin, but they escaped the detectives and ten more explosions occurred. Burns said he was looking for "men higher up."

McManigal testified, and others testified, that Hockin had said many more explosions were planned just about the time of the arrests of the dynamiters. These proposed plots were: To blow up the locks of the Panama canal; to blow up various buildings in eastern cities where the offices of "open shop" contractors were located; to blow up many railroad bridges, and even to cause more explosions on the Pacific coast.

ALBANY OR BUST.

NIERVILLE, N. Y., Dec. 28.—Notwithstanding the drop in the temperature this morning, General Rosalie Jones and her army of suffragettes started for their last day's tramp through deep snow for Albany.

ALLOTING LANDS TO INDIANS AT PARKER

Redskins Receive From Ten to Fifty Acres From Uncle Sam

(From Tuesday's Daily.)

W. H. Thorpe, who returned yesterday from Parker, reports that the interesting proceeding of the government allotting ten acres of land to each Indian on that reserve, is being carried out by an agent specially detailed for the purpose.

Many of the Indians affected receive but one parcel of the stipulated size but on the other hand those who have families are receiving as high as fifty acres.

The allotting will be conducted for several days. There are many speculators watching the proceeding. Under the law authorizing this disposition of the several thousand acres, the Indian cannot dispose of his holdings by sale, but has the alternative of leasing his lands.

Aside from the keen interest prevailing in this land transaction, Mr. Thorpe states that Parker is on the eve of experiencing better times than heretofore. Three large mining companies are sending their ores through that city, among them the Empire Arizona, which is rated as a copper bonanza, each car load shipped netting \$2,000. This property is under the management of C. W. Mitchell, and is creating more discussion as to its production and resources in an ore supply than any other mine undertaking in the western part of the state.

BODY SUPPOSED TO BE THAT OF BANKHEAD.

(From Sunday's Daily.)

The badly decomposed body of a man supposed to be Ezra D. Bankhead, was found last week on the banks of the Colorado river below Mellen, a station on the Santa Fe railroad by three Chimevuelas Indians, according to letters received in this city a few days ago.

An examination of the remains as far as it was possible, undoubtedly reveals the fate that overtook this miner, mention of which was made in the Journal-Miner several months ago when he failed to show up at Searchlight, Nevada, several weeks after he left this country.

Bankhead, it is believed, attempted to cross the Colorado river above the Needles, opposite his destination, and was drowned. He was a fine swimmer. He started alone from a point north of Chloride in Mohave county with a burro, stating that he would cut across the country, and reach the river in two days. On his person was found an envelope which gave the only probable clue to his identity, but the address was partially obliterated, the latter part of his name, "head," only being legible. A small sum of money was found in a buckskin pocket-book, and a few trinkets in his pockets. The deceased was a man of about 52 years of age.

MAKES INQUIRIES INTO CAUSE OF WRECK

(From Sunday's Daily.)

W. G. Geary, chairman of the Arizona Corporation Commission, is in the city after an official investigation of three railroad wrecks that occurred on the main line of the Santa Fe Pacific during the present month.

Mr. Geary has been engaged in taking testimony which will be placed before the commission later for action as to the causes of certain deaths that occurred, Messrs. Coarser and Morgan, two Chicago merchants, traveling on a freight, were killed near Flagstaff on December 10, in a rear-end collision. On December 13th a passenger train went into an open switch at Williams, when ex-Delegate-to-Congress Ralph Cameron was injured, as also was a passenger named Evans, who reached this city later, with his head and face badly cut up and several bones broken. On the 16th, two linemen were run down and killed at Maine, the weather being foggy and the train under full speed when they were seen.

He will remain until this afternoon to visit with his many friends in the city, leaving then for the capital.

GETTING READY TO MOVE DREDGER PLANT

Placer Beds Then to Be Worked for Their Gold Values

(From Tuesday's Daily.)

The moving of the big dredging plant of the old Speck company, to a site on the hydraulic mines owned by the Lynx Creek Mining and Reclamation Company, begins today, quite a force of mechanics and laborers being sent out yesterday by Ben Bishop, superintendent. William Gillim, of Kansas City, a practical man in handling machinery, will supervise the important work of shifting the plant to a point about one and one-half miles below. The apparatus is to be raised out of the sump, and placed on heavy iron trucks now being made in this city, which it will be shifted along on railroad steel to its destruction.

Some weeks will elapse before it is placed at work on the ground it is to be used on in an experimental testing of its adaptability to handle the auriferous soil. Very much interest is manifested among mining men over the outcome of this method to handle the ground, which is known to contain incalculable values in placer gold from former operations. The new syndicate has at its head, Captain H. W. Farney, of Kansas City, who is on the ground.

HOPE TO REACH BONANZA ORE BODY

(From Tuesday's Daily.)

W. J. Martin, general manager of the Yuma-Warrior Mining Company, arrived from the camp in the Harqua Halas mountains on Sunday, and is decidedly optimistic over conditions prevailing from recent development in opening up that famed old gold producer. He returns today.

He states that the force employed is but ten miners, owing to the character of work being performed. Development is being centered to the 400 foot level, which is being cleaned out and a system of cross-cutting performed to reach certain ore bearing ground which in early days produced bonanza ore. In a short time sufficient exploration will be accomplished to increase the force and to make absolute determinations. The big mill and other mechanical utilities are in first-class condition, and the probability of the plant being again in commission is favorable from indications prevailing.

GLOBE LODGE IS FIRST TO SEND MONEY

(From Sunday's Daily.)

The Elks of Arizona, that is those who belong to the Benevolent Protective Order of Elks are coming to the assistance of Governor Hunt in his proposition to get some sure enough Elks in Arizona with a great deal of enthusiasm. Already a number of lodges have acted favorably upon the scheme, but it remained for the Globe lodge to be the first on hand with some of the very essential commodity that is to assist in getting the herd of eighty elk turned loose in the forests of the state to make their permanent home.

Governor Hunt proposed to the Elks of the state recently after he had received information that eighty elk could be obtained from the United States government preserves for \$1600 that all the lodges chip in and get the herd. This he did in a letter to all the lodges. Every lodge has acted but all have not remitted. Mulford Winsor, chairman of the Land Commission has been designated treasurer of the fund, and is anxious that more be added to that which he already has.

It has not been decided yet where the animals will be loosed but it is well known that there are places in Arizona where vast herds of the animals used to roam. It has been suggested however that the balance of the Fort Grant military reservation be made a game preserve and the elk turned loose there.

Read the Journal-Miner.